IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

The University of Chicago Medical Center d/b/a University of Chicago Hospitals & Clinics,))	
Plaintiff,)	
VS.)	Case No. 1:07-cv-07016
)	Judge Wayne R. Andersen
Michael O. Leavitt, Secretary)	
U.S. Department of Health and Human Services,)	
Defendant.)	
	/	

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56(a) of the Federal Rules of Civil Procedure and Rule 56.1 of this Court, Plaintiff University of Chicago Medical Center ("Plaintiff" or the "Provider") hereby moves for summary judgment on the grounds that there are no disputed issues of material fact, and Plaintiff is entitled to judgment as a matter of law. In support of its motion, Plaintiff relies upon the accompanying statement of material facts not in dispute, a supporting memorandum of law, and the administrative record. Pursuant to Local Rule 78.3, Plaintiff requests an oral hearing.

Respectfully Submitted,

University of Chicago Medical Center By its counsel,

Ronald S. Connelly D.C. Bar No. 488298 Mary Susan Philp D.C. Bar No. 295287 POWERS PYLES SUTTER & VERVILLE, PC 1501 M Street, NW, 7th Floor Washington, DC 20005 tel. (202) 466-6550 fax (202) 785-1756 /s/Michael V. Casey Illinois Bar No. 6180115 VARGA BERGER LEDSKY HAYES & CASEY A Professional Corporation 224 S. Michigan Avenue Suite 350 Chicago, IL 60604-2507 tel. (312) 341-9400 fax (312) 341 2900

CERTIFICATE OF SERVICE

I hereby certify that I have electronically filed the foregoing Plaintiff's Motion for Summary Judgment with the Clerk of Court using the Case Management/Electronic Filing System ("CM/ECF") system, which sent notification of such filing to the following:

PATRICK J. FITZGERALD United States Attorney

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and by email to,

Ronald S. Connelly, Esq. Mary Susan Philp, Esq. Powers Pyles Sutter & Verville, PC 1501 M. Street NW 7th Floor Washington, DC 20005

Parties may access this filing through the Court's system.

/s/ Michael V. Casey MICHAEL V. CASEY Illinois Bar No. 6180115 VARGA BERGER LEDSKY HAYES & CASEY, PC

Dated: July 18, 2008.